

**Department of State  
Division of Publications**

312 Rosa L. Parks, 8th Floor Snodgrass Tower  
Nashville, TN 37243  
Phone: 615.741.2650  
Fax: 615.741.5133  
Email: sos.information@state.tn.us

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Sequence Number: 09-33-08  
Notice ID(s): 928  
File Date: 09/30/08

## Notice of Rulemaking Hearing

*Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204. For questions and copies of the notice, contact the person listed below.*

<b>Agency/Board/Commission:</b>	Department of Human Services
<b>Division:</b>	Adult and Family Services
<b>Contact Person:</b>	Janice Y. Brown
	Citizens Plaza Building, 10th Floor 400 Deaderick Street
<b>Address:</b>	Nashville, Tennessee 37243-1403
<b>Phone:</b>	615-313-4731
<b>Email:</b>	janice.y.brown@state.tn.us

*Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:*

<b>ADA Contact:</b>	Natasha Webster
	Citizens Plaza Building, 10 <sup>th</sup> Floor 400 Deaderick Street
<b>Address:</b>	Nashville, Tennessee 37243-1403
<b>Phone:</b>	615-313-4731
<b>Email:</b>	natasha.webster@state.tn.us

### Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Citizens Plaza Building 2 <sup>nd</sup> Floor Board Room 400 Deaderick Street
Address 2:	
City:	Nashville, Tennessee
Zip:	37243-1403
Hearing Date :	(11/17/08)
Hearing Time:	6:30 PM <input checked="" type="checkbox"/> CST <input type="checkbox"/> EST

Address 1:	Conference Room A, 7th Floor 531 Henley Street
Address 2:	
City:	Knoxville, Tennessee
Zip:	37902
Hearing Date :	(11/18/08)
Hearing Time:	6:30 PM <input type="checkbox"/> CST <input checked="" type="checkbox"/> EST

Address 1:	Cookeville District Office
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SS-7037 (August, 2008)

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September 26, 2008

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September 26, 2008

	1000 England Drive, Suite B		
Address 2:			
City:	Cookeville, Tennessee		
Zip:	38501		
Hearing Date :	(11/18/08)		
Hearing Time:	6:30 PM	<input checked="" type="checkbox"/> CST <input type="checkbox"/> EST	

Address 1:	2 <sup>nd</sup> Floor Conference Room B, Ste 210 Lowell Thomas State Office Building 225 Martin Luther King, Jr. Drive		
Address 2:			
City:	Jackson, Tennessee		
Zip:	38301		
Hearing Date :	(11/19/08)		
Hearing Time:	6:30 PM	<input checked="" type="checkbox"/> CST <input type="checkbox"/> EST	

Address 1:	1st Floor Auditorium 540 McCallie Ave.		
Address 2:			
City:	Chattanooga, Tennessee		
Zip:	37402		
Hearing Date :	(11/19/08)		
Hearing Time:	6:30 PM	<input type="checkbox"/> CST <input checked="" type="checkbox"/> EST	

Address 1:	2 <sup>nd</sup> Floor Auditorium Donnelly J. Hill State Office Building 170 North Main Street		
Address 2:			
City:	Memphis, Tennessee		
Zip:	38103		
Hearing Date :	(11/20/08)		
Hearing Time:	6:30 PM	<input checked="" type="checkbox"/> CST <input type="checkbox"/> EST	

Address 1:	Conference Room 103 E. Walnut Street		
Address 2:			
City:	Johnson City, Tennessee		
Zip:	37601		
Hearing Date :	(11/20/08)		
Hearing Time:	6:30 PM	<input type="checkbox"/> CST <input checked="" type="checkbox"/> EST	

### Additional Hearing Information:

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### Revision Type (check all that apply):

- ☒ Amendment  
☐ New  
☐ Repeal

### Rule(s) (for additional chapters, copy and paste table)

SS-7037 (August, 2008)

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September 26, 2008

	<b>Chapter Number</b>	<b>Chapter Title</b>
	1240-04-02	Licensure Rules for Drop-in Child Care Centers
	<b>Rule Number</b>	<b>Rule Title</b>
	1240-04-02-.07	Program

Chapter 1240-04-02  
Licensure Rules for Drop-In Child Care Centers

Amendments

Rule 1240-04-02-.07 Program, is amended by adding a new paragraph (6), so that, as amended, the new paragraph (6) shall read as follows:

- (6) Personal Safety Curriculum.
  - (a) For ages three (3) through school-age, the curriculum shall include instruction in personal safety as needed, but at least once a year.
  - (b) The personal safety curriculum shall include a Department-recognized component on the prevention of child abuse, including child sexual abuse, based upon Department curriculum guidelines provided to the child care provider in any suitable format. The child care provider may choose terminology and instructional methods for this curriculum with a goal of providing clear, effective and appropriate instruction to the children in personal safety, including the prevention of child abuse.
  - (c) Beginning October 1, 2008 the personal safety curriculum used by a child care agency shall be made available by the child care agency to parents and legal guardians for review. The child care agency shall use a standard notification form developed by the Department that will be provided to the parents or legal guardians by the child care agency to confirm their review of the personal safety curriculum.
  - (d) The record of each enrolled child shall include a copy of the signed notification form acknowledging that parents/legal guardians have been provided an opportunity to review the agency's personal safety curriculum, and have been notified of the sexual abuse/personal safety curriculum for their child.
  - (e) If parents/legal guardians have questions regarding the personal safety component of the curriculum a representative of the child care agency shall meet with the parent/legal guardian to discuss the personal safety component of the curriculum.
  - (f) For school-age children the curriculum shall include instruction on reporting physical, verbal or sexual abuse.

Authority: T.C.A. § 71-3-502; 2008 Tenn. Pub. Acts 1032.

A circular notary seal for Debra E. Gatts, a Notary Public in the State of Tennessee, Davidson County. The seal includes the text "DEBRA E. GATTS", "STATE OF TENNESSEE", "NOTARY PUBLIC", "DAVIDSON COUNTY", and "My Commission Expires May 22, 2019".

Signature: Thinao YBS

Name of Officer: Janice Y. Brown

Assistant General Counsel

Title of Officer: Tennessee Department of Human Services

Subscribed and sworn to before me on: September 29, 2008

Notary Public Signature: Debra E. Balto

My commission expires on: May 22, 2010

Filed with the Department of State on:

Sgt. 30, 2008

*Riley C. Darnell*  
Riley C. Darnell  
Secretary of State